Remarks

Response to Restriction Requirement

In the Office Action mailed September 29, 2006, the claims were divided into two groups, Group I, claims 1-9, drawn to a drug formulation comprising a drug in an amount effective to provide relief from diseases or disorders of the breast in a pharmaceutically acceptable carrier for topical administration to the breast, wherein the drug is not a non-steroidal anti-inflammatory or analgesic; Group II, claims 10-19, drawn to a method for treating a disease or disorder of the breast, chest or underlying musculature comprising topically administering to the patient a drug formulation suitable for local or regional delivery comprising an effective amount of drug to provide symptomatic relief, wherein the drug is not a non-steroidal anti-inflammatory or analgesic, in a dosage which results in low serum drug levels as compared to the systemic administration of the drug.

In response, applicants elect Group I, claims 1-9, without traverse.

In the attached claim listing, Applicants have identified Group II, claims 10-19 as withdrawn. The Examiner noted that Groups I and II are related by product and process of use. Therefore, Applicants have elected the product claims with the understanding that if a product claim is found allowable, the process claims contain all the limitations of an allowable product claim will be considered for rejoinder. In the event of rejoinder, the requirement for restriction between the product claims and the rejoined process claims will be withdrawn, and the rejoined

process claims will be fully examined for patentability (MPEP § 806.05(h) form paragraph 8.21.04 (cited by the Examiner).

Favorable consideration of claims 1-9 is earnestly solicited.

Respectfully submitted,

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